



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS
441 G STREET NW
WASHINGTON, D.C. 20314-1000

CELD

JUN 15 2009

**MEMORANDUM FOR COMMANDERS AND DIRECTORS, MAJOR SUBORDINATE
COMMANDS, DISTRICTS AND FIELD OPERATING ACTIVITIES**

**SUBJECT: Provision of Travel and Per-diem Entitlements to Injured Department of the Army
Civilian (DAC) Family Members through Emergency and Extraordinary Expense Authority
Process**

1. References:

- a. 10 United States Code, Section 127.
- b. 37 United States Code, Section 411h.
- c. DoD Instruction 1300.18, DoD Personnel Casualty Matters, Policies and Procedures
- d. AR 37-47, Representation Funds of the Secretary of the Army.
- e. AR 600-8-1, Army Casualty Program.
- f. Joint Federal Travel Regulation (JFTR) – Military.
- g. Joint Travel Regulation (JTR) – Civilian.

2. The statutory authority (Joint Federal Travel Regulation (JFTR) for uniformed members and Joint Travel Regulation (JTR) for Civilian employees) that permits per diem, travel and transportation allowances for Family members incident to serious illness or injury is currently limited to uniformed members. However, Section 127 of Title 10 (USC) authorizes the Secretary of the Army to provide for any emergency or extraordinary expense which cannot be anticipated or classified. The Secretary of the Army delegated the authority to the Administrative Assistant to the Secretary (AA/SA) of the Army. It is under this authority the USACE Commander may request to use funds for emergency and extraordinary expense purposes in support of Civilian employee Family members.

- a. It is important to note that if a Soldier or Soldier's Family member is not authorized travel entitlements of this nature, then a Department of the Army Civilian or Family member will not be authorized or approved.
- b. The authority to use funds for Emergency and Extraordinary Expense (EEE) purposes does not constitute a separate program account. The annual appropriations legislation makes Operation and Maintenance, Army (OMA) funds available for EEE purposes.
- c. The authority to use OMA funds for EEE purposes is subject to a statutory and administrative limitation managed by the Assistant Secretary of the Army (Financial

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Management and Comptroller) (ASA (FM&C)). The Army Budget Office (ABO) can issue the authority to use OMA for EEE purposes to a command/operating agency without allocating additional OMA funds (the regulation for using limitation fund authority is AR 37-47, Representation Funds of the Secretary of the Army).

d. As a result, a request to make expenditures for EEE purposes is submitted through HQUSACE to the Office of the AA/SA to reimburse the Family member for per diem, travel and transportation expenses incurred in coming to the bedside of the injured Civilian employee.

3. Commanders and Directors requesting approval to make EEE expenses will ensure the following actions and supporting documents are submitted to the HQUSACE Logistics Directorate in order for the USACE Commander to submit a request to the Office of the AA/SA:

a. A memorandum specifically requesting the presence of the Family member(s) to the Civilian employee's bedside to contribute to his/her health and welfare signed by the attending physician *and* the commander or head of the military medical facility. (Encl 1) This is a direct requirement of section 411h of Title 37 (USC) and Chapter 7 of AR 600-8-1 and is very critical to continuing this process. The absence of such will result in a denial of the EEE request.

b. The owning command will assemble a memorandum to request use of the Secretary of the Army EEE authorizations, specifically Limitation .0014. This memo must be endorsed by the chain of command. (Encls 2 and 3)

c. Copy of the Commander's Critical Information Report (CCIR) or Serious Incident Report (SIR). (Encl 4)

d. Copy of DD Form 93 (less SSN). (Encl 5)

e. Ensure complete names of applicable family members are included in memoranda. Ordinarily, not more than three (3) Family members may be provided transportation for one round-trip and per-diem, as determined by appropriate authority. The Secretarial process may authorize transportation and per-diem for more than three Family members in extenuating circumstances. The EEE request is a Secretarial process and should include additional Family member information or requirements as applicable.

f. Copy of air travel tickets.

g. Ensure dates of travel of applicable family members are included in memoranda.

h. Ensure origin and destination of travel of applicable family members are included in memoranda.

i. Ensure copies of all routine travel receipts (taxis, parking, fuel, etc.) are included.

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j. Ensure the memoranda includes whether a Fischer House (or equal) was or was not available for use. Additionally, ensure lodging receipts are included.

k. Ensure the injured civilian's home station and a home station POC are included on the memoranda.

4. The HQUSACE Logistics Directorate will ensure the USACE CG endorsing memorandum (Encl 6), along with the supporting documents (as stated in paragraph 3), are properly staffed/coordinated through applicable functional offices in Headquarters, signed and submitted to the Office of the AA/SA IAW the USACE Staff Action Guide. As a minimum, the staff action will be staffed/coordinated through: (Encl 7 for a sample staff action summary cover sheet)

- a. Office of the Chief Counsel
- b. Resource Management
- c. Logistics
- d. Human Resource
- e. Chief of Staff
- f. Deputy Commanding General
- g. Commanding General (for signature)

5. Additional instructions will be provided by the Office of the AA/SA and ABO once approved. HQUSACE Directorate of RM will coordinate the approval from ABO as necessary and transfer the authority to incur EEE expenses to the impacted home-station District. This is necessary prior to obligation of funds.

6. Once the approved EEE authority has been transferred to the home-station command, invitational travel orders (ITOs) for up to three (3) Family members can be provided. This authority is typically granted not to exceed 30 days. If additional time is necessary a new "extension request" will be required and must be submitted in the same format as the original request. (Encl 8) The extension request must reference the original request and approval (included in the new staff action as supporting documents), and, describe the new or extended circumstance (e.g. expectation by the treating physician). A request for an extension can be included in the original EEE request document if it is known from the onset that the injured civilian employee will remain hospitalized beyond 30 days.

7. Expenditure of funds under the limitation authority is subject to the provisions of the general provisions of the JTR and will conform to the guidelines established in the JFTR, paragraph U5246-A1. Settlement will be IAW normal USACE TDY processes.

8. Once the patient is discharged, the attending physician can recommend/request a "non-medical attendant" (NMA) to assist the seriously ill or injured employee in their return trip home (typically this is the spouse). There is JTR/JFTR authority for the owning unit to initiate an ITO to accommodate this action (separate from a EEE request). The recommendation/request must

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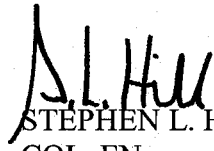
be in memorandum format signed by the attending physician *and* the commander or head of the military treatment facility. (Encl 9) The JTR only provides for transportation of the NMA and does *not* provide for per-diem. See JTR Appendix E, para A2L for additional information.

9. There are additional measures to consider and/or be taken that may expedite moving the NOK to the bedside of the injured Civilian while the EEE process is ongoing:

- a. Medical insurance.
- b. Local command employee donations of frequent flyer miles, hotel points, etc.
- c. The use of local charitable organizations that may provide for such expenses.

10. The Army will provide casualty assistance to the PNOK of all DA Civilians who die while assigned, deployed, or TDY outside the 50 states and the District of Columbia, as well as to the overseas PNOK of all overseas-stationed DA Civilians who die while TDY in CONUS. This assistance will be comparable to that prescribed in AR 600-8-1 for military Family members.

11. The point of contact for this action is the HQUSACE Directorate of Logistics.


STEPHEN L. HILL
COL, EN
Chief of Staff

Enclosures

- ENCL 1, Sample Family Request from Doctor
- ENCL 2, Sample EEE from District
- ENCL 3, Sample EEE from Division
- ENCL 4, Sample SIR
- ENCL 5, DD Form 93, Record of Emergency Data
- ENCL 6, Sample EEE from USACE Commander
- ENCL 7, Sample HQUSACE EEE SAS Cover
- ENCL 8, Sample EEE Extension Request
- ENCL 9, Sample Non-medical Attendant (NMA) Request from Doctor